

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA, ex rel.	:	
ANTHONY R. SPAY,	:	
	:	CIVIL ACTION
Plaintiff,	:	
	:	
v.	:	
	:	NO. 09-4672
	:	
CVS CAREMARK CORPORATION;	:	
CAREMARK Rx, LLC (f/k/a CAREMARK	:	
Rx, Inc.); CAREMARK, LLC (f/k/a	:	
CAREMARK, INC.); SILVERSCRIPT, LLC	:	
(f/k/a SILVERSCRIPT INC.),	:	
	:	
Defendants.	:	

**ORDER**

**AND NOW**, this 9<sup>th</sup> day of *July*, 2014, upon consideration of Defendant CVS Caremark's Expedited Motion to Enforce the Close of Fact Discovery (Docket No. 150) and Plaintiff/Relator Anthony R. Spay's Opposition (Docket No. 152), it is hereby **ORDERED** that the Motion is **DENIED**.

It is **FURTHER ORDERED** that the Court's Scheduling Order of April 21, 2014 is **AMENDED** as follows:

1. All fact discovery in this case shall be completed by October 31, 2014.<sup>1</sup>

---

<sup>1</sup> The Center for Medicare & Medicaid Services ("CMS")—a crucial source of information in this case—has indicated that it cannot complete its responses to Defendant's written discovery requests until late September. The Court recognizes that it is in all parties' best interests to have full written discovery responses prior to beginning depositions of the CMS witnesses, particularly given the lapse in time that has occurred since the relevant events in this case. The Court is also cognizant of CMS's justifiable unwillingness to produce these witnesses more than once. In lieu of attempting to rush the three (and potentially two more) depositions

2. All remaining discovery in this case shall be completed by March 13, 2015.
3. All dispositive motions are due by March 20, 2015.
4. Following the Court's ruling on dispositive motions, a status conference will be set, if necessary, to establish a trial date.

It is so **ORDERED**.

BY THE COURT:

*s/ Ronald L. Buckwalter*  
RONALD L. BUCKWALTER, S.J.

---

before the July 18, 2014 deadline, the Court finds that considerations of economy and efficiency weigh in favor of extending the discovery deadline to allow for the development of a comprehensive record.